

# Dane County



## Minutes

Tuesday, January 23, 2018

6:30 PM

City - County Building, ROOM 354

210 Martin Luther King Jr. Blvd., Madison  
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## Zoning & Land Regulation Committee

## A. Call to Order

Chair Kolar called the meeting of the ZLR Committee to order at 6:32pm in Room 354 of the City-County Building.

Staff present: Everson, Lane, and Violante

Youth Governance Members present: Sam Fischer.

**Present** 4 - JERRY BOLLIG, MARY KOLAR, AL MATANO, and PATRICK MILES

**Excused** 1 - DENNIS O'LOUGHLIN

## B. Public comment for any item not listed on the agenda

No comments made by the public.

[2017](#)  
[RPT-610](#)

January 23rd ZLR Registrants

## C. Public Hearing for Zoning Map Amendments, Conditional Use Permits, and Ordinance Amendments

[11234](#)

PETITION: REZONE 11234

APPLICANT: DEERFIELD HEIGHTS LLC

LOCATION: NORTH OF COUNTY HIGHWAY BB, SECTION 9, TOWN OF DEERFIELD

CHANGE FROM: A-1EX Agriculture District TO RH-1 Rural Homes District

REASON: creating 4 residential lots

*In favor: Don Imhoff*

*Opposed: None*

**A motion was made by MILES, seconded by MATANO, that this Zoning Petition be postponed until Town action is received. The motion carried by the following vote: 4-0.**

**Ayes:** 4 - BOLLIG,KOLAR,MATANOandMILES

**Excused:** 1 - O'LOUGHLIN

[11235](#)

PETITION: REZONE 11235

APPLICANT: SOLON W PIERCE III

LOCATION: 4219 SMITH DRIVE, SECTION 7, TOWN OF DEERFIELD

CHANGE FROM: A-1EX Agriculture District TO A-2 (4) Agriculture District

REASON: separating existing residence from farmland

*In favor: Don Imhoff*

*Opposed: None*

**A motion was made by MILES, seconded by MATANO, that this Zoning Petition be postponed until Town action is received. The motion carried by the following vote: 4-0.**

**Ayes:** 4 - BOLLIG,KOLAR,MATANOandMILES

**Excused:** 1 - O'LOUGHLIN

[11236](#)

PETITION: REZONE 11236  
APPLICANT: DUACAM INVESTMENTS LLC  
LOCATION: 3812 COUNTY HIGHWAY AB, SECTION 19, TOWN OF COTTAGE GROVE  
CHANGE FROM: R-1A Residence District TO R-3A Residence District  
REASON: zoning change for a duplex

**A motion was made by MATANO, seconded by MILES, that the Zoning Petition be tabled. The motion carried by a voice vote. Time: 6:39pm.**

**A motion was made by MILES, seconded by MATANO, that the Zoning Petition be removed from the table. The motion carried by a voice vote. Time: 7:24pm.**

*In favor: Duane Farwell*

*Opposed: None*

**A motion was made by MILES, seconded by MATANO, that this Zoning Petition be recommended for approval. The motion carried by the following vote: 4-0.**

**Ayes:** 4 - BOLLIG,KOLAR,MATANOandMILES

**Excused:** 1 - O'LOUGHLIN

[11237](#)

PETITION: REZONE 11237  
APPLICANT: RONALD G MILLIN  
LOCATION: 257 COUNTY HIGHWAY TV, SECTION 35, TOWN OF YORK  
CHANGE FROM: A-1EX Agriculture District TO A-2 (2) Agriculture District  
REASON: separating existing residence from farmland

*In favor: Steve Millin*

*Opposed: None*

**A motion was made by BOLLIG, seconded by MATANO, that this Zoning Petition be recommended for approval. The motion carried by the following vote: 4-0.**

**Ayes:** 4 - BOLLIG,KOLAR,MATANOandMILES

**Excused:** 1 - O'LOUGHLIN

[11238](#)

PETITION: REZONE 11238  
APPLICANT: TRAVIS R LEESER  
LOCATION: 4375 OLD STONE ROAD, SECTION 20, TOWN OF RUTLAND  
CHANGE FROM: A-1EX Agriculture District TO RH-1 Rural Homes District, RH-4 Rural Homes District TO RH-1 Rural Homes District  
REASON: shifting of property lines between adjacent land owners

**A motion was made by MATANO, seconded by MILES, that the Zoning Petition be tabled. The motion carried by a voice vote. Time 6:41pm.**

**A motion was made by MILES, seconded by MATANO, that the Zoning Petition be removed from the table. The motion carried by a voice vote. Time 7:24pm.**

*In favor: Travis Leeser*  
*Opposed: None*

**A motion was made by MATANO, seconded by MILES, that this Zoning Petition be recommended for approval. The motion carried by the following vote: 4-0.**

**Ayes:** 4 - BOLLIG,KOLAR,MATANOandMILES

**Excused:** 1 - O'LOUGHLIN

[11239](#)

PETITION: REZONE 11239  
APPLICANT: KRONEMAN REV TR, LYNDON C  
LOCATION: 728 SHERMAN DRIVE, SECTION 27, TOWN OF MEDINA  
CHANGE FROM: A-1EX Agriculture District TO RH-2 Rural Homes District  
REASON: separating existing residence from farmland

*In favor: Lyndon Kroneman*  
*Opposed: None*

**A motion was made by MILES, seconded by MATANO, that this Zoning Petition be recommended for approval as amended. The motion carried by the following vote: 4-0.**

**1. A deed restriction shall be recorded on parcels 0812-272-8000-5 and 0812-272-8500-0 to prohibit further residential development on the remaining A-1 Exclusive Agriculture zoned land. The housing density rights for the original farm have been exhausted.**

**2. A deed restriction shall be recorded on the property to identify the Town of Medina Animal Unit Restrictions.**

**Ayes:** 4 - BOLLIG,KOLAR,MATANOandMILES

**Excused:** 1 - O'LOUGHLIN

[CUP 02404](#)

PETITION: CUP 02404  
APPLICANT: HASTINGS REV TR, PHILLIP  
LOCATION: 1017 AND 1013 COUNTY HIGHWAY BB, SECTION 9, TOWN OF DEERFIELD  
CUP DESCRIPTION: outside storage of more than 12 vehicles

*In favor: Phillip Hastings*  
*Opposed: None*

**A motion was made that this Conditional Use Permit be postponed until Town action is received. The motion carried by the following vote: 4-0.**

**Ayes:** 4 - BOLLIG,KOLAR,MATANOandMILES

**Excused:** 1 - O'LOUGHLIN

[CUP 02405](#)

PETITION: CUP 02405

APPLICANT: KIRK K EILENFELDT

LOCATION: NORTH OF 2294 US HIGHWAY 12/18, SECTION 27, TOWN OF COTTAGE GROVE

CUP DESCRIPTION: mineral extraction

*In favor: Wade Cattell, Charles Sweeney, Scott McWilliams, and Kirk Eilenfeldt.  
Opposed: Otto Otteson, Alex Tukiendorf, Andrea Enriquez, and Christa Westerberg.  
The opposition raised concerns regarding lack of reclamation on the existing operation, close proximity to Door Creek, impact on aquifer, location of property lines, back-up alarms, increase in activity, dust, noise, lack of notification, hours of operation, reduced land values on adjacent property, and truck traffic.*

**A motion was made by BOLLIG, seconded by MILES, that this Conditional Use Permit be postponed due to public opposition. The motion carried by the following vote: 4-0.**

**Ayes:** 4 - BOLLIG,KOLAR,MATANOandMILES

**Excused:** 1 - O'LOUGHLIN

#### **D. Zoning Map Amendments and Conditional Use Permits from previous meetings**

[11163](#)

PETITION: REZONE 11163

APPLICANT: MARA K ZIMMERMAN

LOCATION: EAST OF 4203 TOWER ROAD, SECTION 16, TOWN OF DUNN

CHANGE FROM: A-1EX Agriculture District TO RH-1 Rural Homes District and A-4 Agriculture

REASON: creating two residential lots

NOTE: Petition amended to add a 4-acre residential lot.

**A motion was made by MILES, seconded by BOLLIG, that this Zoning Petition be recommended for approval. The motion carried by the following vote: 4-0.**

**Ayes:** 4 - BOLLIG,KOLAR,MATANOandMILES

**Excused:** 1 - O'LOUGHLIN

[11165](#)

PETITION: REZONE 11165  
APPLICANT: BULLSI LLC  
LOCATION: 4645 STATE HIGHWAY 138, SECTION 7, TOWN OF RUTLAND  
CHANGE FROM: RE-1 Recreational District TO C-2 Commercial District  
REASON: allow commercial uses

A motion was made by BOLLIG, seconded by MILES, that this Zoning Petition be recommended for approval as amended. The motion carried by the following vote: 4-0.

1. A deed restriction shall be recorded on the property to limit the development to the following:

**ACCESS TO STATE HIGHWAY 138** - State Highway 138 is a controlled access highway. A State Highway Access Permit shall be required to be obtained for any new buildings or changes in land use which will cause any increase of traffic volume to the property. The State Highway Access Permit shall be obtained prior to the issuance of a zoning permit. A traffic impact study shall be prepared and approved by the State Highway Department to identify any necessary improvements that are needed for the safe access onto State Highway 138. The landowner shall be responsible for any and all costs for the improvements.

**LAND USES** - The following list of land uses shall be the only land uses permitted on the property: Offices, indoor sales, indoor entertainment, personal and professional services, indoor contractor/ trade operations, vehicle repair services, indoor storage, distribution centers, light industrial businesses, governmental uses, religious uses, institutional uses, and veterinarian clinic. Outside storage of materials or construction equipment may be permitted subject to site plan approval. Other land uses may be permitted through a conditional use permit: personal storage facilities (mini-warehouses), and outdoor entertainment.

**OUTDOOR STORAGE AREAS** - All areas that are used for the outdoor storage of materials or the storage of construction equipment/vehicles shall be screened from view with a minimum of six-foot barrier with 90% opacity. Site plan approval shall be obtained by the Town Board and County Zoning Committee for any outdoor storage areas prior to the storage of materials or equipment.

**LIGHTING** - All outdoor light fixtures shall be down-lit. The fixtures shall comply with dark sky lighting requirements. The posts for parking lot lighting shall be no higher than 25 feet. The posts used for the main drive entrance shall be no higher than 35 feet.

**BUILDING EXTERIOR** - All buildings constructed on the property shall have a similar appearance using similar exterior materials and color palate. Any refuse containers shall be screened from view using similar materials used for the exterior of buildings.

**LANDSCAPING** - There shall be a minimum of (1) 2" caliper deciduous tree planted for every 3,000 square feet of building space constructed. The location of the trees shall be shown on a site plan prior to the issuance of a zoning permit.

**PARKING AND DRIVE AREAS** - All parking areas or areas used for vehicular

movement shall be paved with asphalt surfacing.

**PROHIBITED SIGNS** - Off-premise advertising signs (billboards) shall be prohibited on the property. Temporary advertising signs shall be prohibited on the property.

**SIGNS** - All signs shall conform to the Dane County sign ordinance. There shall be one on-premise pylon sign and one on-premise ground sign for advertising all businesses on the property. The maximum sign allowance for wall signs shall be divided up equally amongst multiple tenants within a building, if applicable. All tenant wall signs shall have the same style as selected by the landowner.

**Ayes:** 4 - BOLLIG,KOLAR,MATANOandMILES

**Excused:** 1 - O'LOUGHLIN

## E. Plats and Certified Survey Maps

[2017 LD-044](#) Final Plat - Tumbledown Farm  
Town of Middleton  
Consideration of the 11/14/2017 conditional approval and execution of the plat document pursuant to established Committee policy.

A motion was made by MILES, seconded by MATANO, that the final plat be signed by chair KOLAR. The motion carried by a voice vote, 4-0.

## F. Resolutions

## G. Ordinance Amendment

## H Items Requiring Committee Action

## I. Reports to Committee

[2017  
RPT-579](#) Report of approved Certified survey Maps

## J. Other Business Authorized by Law

## K. Adjourn

A motion was made by MILES, seconded by MATANO, to adjourn the Zoning and Land Regulation Committee meeting at 7:45pm. The motion carried unanimously.

*Questions? Contact Roger Lane, Planning and Development Department, 266-4266,  
lane.roger@countyofdane.com*